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November 17, 2015

**ECF ONLY**

Honorable Judge James Orenstein  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Garcia, et al. v. The City of New York, et al.  
15-CV-2210 (JG) (JO)

Dear Magistrate Judge Orenstein:

On behalf of the Kings County District Attorney's Office (the "KCDA"), I am responding to plaintiffs' motion dated November 13, 2015, to compel production of documents which were the subject of a subpoena served pursuant to Rule 45 of the Federal Rules of Civil Procedure. As a result of a telephone conference on Monday, November 16, 2015, with David B. Rankin, Esq., an attorney for plaintiffs, the KCDA and plaintiffs have agreed to resolve the outstanding disputes as follows.

Plaintiffs respectfully request Your Honor unseal the Application for Search Warrant #296/14 entered by Acting Justice Calabrese of Supreme Court, Kings County, for 196 Maujer Street, Apartment 1C, Brooklyn, New York. The KCDA does not oppose this application. Enclosed is a proposed order unsealing the search warrant application for the purpose of this action prepared by plaintiffs' counsel. If an unsealing order is entered, we understand that the issues presented in plaintiffs' motion to be moot.

Plaintiffs and the KCDA have agreed that any identifying information contained in the search warrant application relating to a Confidential Informant shall be redacted. Plaintiffs also agree that the provisions of the Stipulation and Order of Confidentiality entered in this action shall apply to the production of these documents. Plaintiffs' counsel has reviewed this letter and agrees with its contents.

In light of the foregoing, plaintiffs and the KCDA do not believe it is necessary for the Court to hold a conference on November 23, 2015.

Respectfully submitted,

A handwritten signature in cursive script, reading "Toni C. Lichstein".

Toni C. Lichstein  
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cc:  
David Rankin, Esq.  
Gillian Cassell-Stiga, Esq.  
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11 Park Place, Suite 914  
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Via email

Encl.

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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JOSE GARCIA,

**Unsealing Order**

Plaintiff,

15-CV-2210(JG)(JO)

-v-

THE CITY OF NEW YORK, et al.,

Defendants.

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Plaintiffs' application for the unsealing of the Application for Search Warrant #296/14 entered by Acting Justice Calabrese of Supreme Court, Kings County, on May 13, 2014, for 196 Maujer Street, Apartment 1C, Brooklyn, New York, 11206 is hereby granted for the sole purpose of providing to Plaintiffs' counsel a copy of the application to be used only in connection with this action.

Dated: November \_\_, 2015

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Hon. James Orenstein